



Break Free Sooner: New Divorce Law Explained

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A new law came into effect on 17 October 2025 that allows some victims of family violence to immediately apply for a divorce. It's a significant step toward helping people move on with their lives without being legally tied to someone who has harmed them.

Normally, couples must live apart for two years before they can ask the Court to formally dissolve their marriage or civil union. This change recognises that for victims of abuse, waiting that long can prolong the harm. The goal is simple: give people a faster, safer way

to rebuild their lives.

Under the Family Proceedings (Dissolution of Marriage or Civil Union for Family Violence) Amendment Act 2024, anyone who has a final protection order, or a registered foreign protection order, against their spouse can apply for a dissolution right away.

Protection orders are made when the Court is satisfied someone needs protection from ongoing family violence. That violence can be physical, sexual, psychological or financial abuse. Sometimes it's a pattern of behaviour that only reveals its true harm when you look at the whole picture, even if each individual act seems minor.

Victims of *past* family violence won't usually be able to get a protection order unless there's evidence of ongoing abuse. In that situation, they would still need to wait the usual two years before being able to apply to end their marriage.

One more thing to keep in mind: once a marriage is dissolved, you have one year to start proceedings to divide your relationship property. For most people, that deadline comes roughly three years after separation. But anyone divorcing earlier through this new process will need to keep a closer eye on the clock and be careful not to run out of time.

If you have questions about how the new law works - or whether it applies to your situation - our experienced family law team is here to help. Get in touch with us today.